

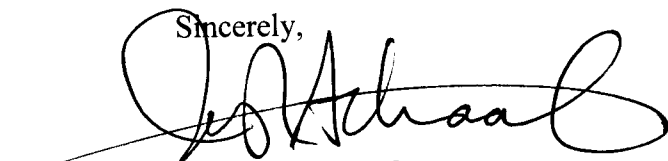
552(b)(6) in order to protect against an unwarranted invasion of personal privacy of the employee.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. *See* <http://www.justice.gov/oip/foiapost/2012foiapost9.html>.

You may contact our FOIA Public Liaison at the telephone number 703-605-1297 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to read "J. Schaaf", with a long horizontal line extending to the left.

Joseph R. Schaaf

Senior Counsel for Administrative Law

**From:** Keller, Mary Beth (EOIR)  
**To:** Scott, Tamara (EOIR)  
**Cc:** Murry, Anthony (EOIR); Santoro, Christopher A (EOIR); Carr, Donna (EOIR)  
**Subject:** Castro Tum Transcript (b) (6)  
**Date:** Friday, June 01, 2018 10:38:18 AM  
**Importance:** High

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Hi Tammy,

We stopped by earlier and spoke with Virginia; we need a copy of the transcript in the above case for the hearing conducted yesterday, May 31, 2018. We need it on a 1 day turnaround, as it has been requested by the Director.

Could you kindly send it directly to me?

Thanks very much, and let us know if you need anything more.

Mtk

*MaryBeth Keller*  
Chief Immigration Judge  
U. S. Department of Justice  
Executive Office for Immigration Review  
(b) (6)  
(b) (6)

**From:** Wilson, Donna L. (EOIR)  
**To:** Cheng, Mary (EOIR); Maggard, Print (EOIR)  
**Cc:** Keller, Mary Beth (EOIR); Santoro, Christopher A (EOIR); Murry, Anthony (EOIR)  
**Subject:** Castro-Tum Transcripts  
**Date:** Monday, June 04, 2018 1:08:07 PM  
**Attachments:** Castro-Tum.PDF

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Hello DCIJ's,

Please see the attached transcript.

Thanks,

*Donna Wilson*

Office of the Chief Immigration Judge

(b) (6)

**From:** McHenry, James (EOIR)  
**To:** Neal, David L. (EOIR); King, Jean (EOIR); Sheehey, Kate (EOIR); Reilly, Katherine (EOIR); Keller, Mary Beth (EOIR); Santoro, Christopher A (EOIR); Berkeley, Nathan (EOIR)  
**Subject:** Re: AG Order Castro-Tum  
**Date:** Thursday, May 17, 2018 3:04:49 PM

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OLC may not finalize the headnotes this afternoon so we will go ahead and post the decision without them today (and then add them whenever OLC gets them to us).

On May 17, 2018, at 1:07 PM, McHenry, James (EOIR)  
<[James.McHenry@EOIR.USDOJ.GOV](mailto:James.McHenry@EOIR.USDOJ.GOV)> wrote:

1 of 2

The AG has issued his decision in Castro-Tum. I will forward it in a separate e-mail in both PDF and Word format. Please begin formatting it to post and distribute today.

OLC is going to send headnotes separately so those do not need to be prepared as part of the formatting.

The decision should be posted on the website as soon as possible. LERS should also distribute it this afternoon once it is posted.

Admin- once the decision is posted, you can give a heads up to JMD and OMB.

CLAD- any press inquiries should be referred to Devin and OPA.

The decision appears straightforward. It is effective immediately and should be followed by the BIA and IJs accordingly. We will discuss next week whether any follow up guidance is needed.

**From:** Tabaddor, A. Ashley (EOIR)  
**To:** Santoro, Christopher A (EOIR)  
**Cc:** Khan, Amiena (EOIR); Tabaddor, A. Ashley (EOIR)  
**Subject:** RE: NAIJ Grievance re: IJ Morley  
**Date:** Friday, August 10, 2018 3:44:26 PM

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Dear Judge Santoro,

Thank you for your email and the proposed dates. As you know, I will be out of the country next week and Judge Tsankov (our East Coast Grievance Chair) will be out of the country from August 19<sup>th</sup> for a period of four weeks. In her absence I will serve as the point person on this grievance. However, upon my return in the afternoon of August 20<sup>th</sup>, there are a number of pending NAIJ/OCIJ matters that also need immediate attention. Additionally August 22<sup>nd</sup> is a religious holiday for Judge Khan. While I understand that the CBA requires a meeting within 20 days, it also provides for an extension of that time by stipulation of the parties. May I suggest that we schedule the discussion for Wednesday, August 29<sup>th</sup>, anytime after 11:30 a.m. ET (since I am on the West Coast)? I would note that August 29<sup>th</sup> would fall within my NAIJ carve out on my calendar and would not require any resetting of cases.

Thank you,  
Ashley Tabaddor

**From:** Santoro, Christopher A (EOIR)  
**Sent:** Friday, August 10, 2018 7:54 AM  
**To:** Tabaddor, A. Ashley (EOIR) <Ashley.Tabaddor@EOIR.USDOJ.GOV>  
**Cc:** Khan, Amiena (EOIR) <Amiena.Khan@EOIR.USDOJ.GOV>  
**Subject:** RE: NAIJ Grievance re: IJ Morley

Judges Tabaddor and Khan,

As you know, we are in the midst of ACIJ hiring interviews and my availability for the hearing is rather limited. I would like to see if we can schedule the discussion for either Tuesday, August 21 or Wednesday, August 22.

On the 21<sup>st</sup>, I am available during normal business hours other than from 3:30pm-4:30pm EDT.

On the 22<sup>nd</sup>, I am available during normal business hours other than from 1:30pm-4:00pm EDT.

Please let me know what works for you. Thank you,

**Christopher A. Santoro**  
Deputy Chief Immigration Judge

**From:** Tabaddor, A. Ashley (EOIR)  
**Sent:** Wednesday, August 08, 2018 9:51 AM  
**To:** Santoro, Christopher A (EOIR) <Christopher.Santoro@EOIR.USDOJ.GOV>

**Cc:** Khan, Amiena (EOIR) <[Amiena.Khan@EOIR.USDOJ.GOV](mailto:Amiena.Khan@EOIR.USDOJ.GOV)>; Tabaddor, A. Ashley (EOIR) <[Ashley.Tabaddor@EOIR.USDOJ.GOV](mailto:Ashley.Tabaddor@EOIR.USDOJ.GOV)>

**Subject:** NAIJ Grievance re: IJ Morley

Dear Judge Santoro,

Attached please find a grievance related to the Agency action against Judge Morley.

Thank you,

Ashley Tabaddor

President, NAIJ

**From:** Santoro, Christopher A (EOIR)  
**To:** Tabaddor, A. Ashley (EOIR)  
**Cc:** Khan, Amiena (EOIR)  
**Subject:** RE: NAIJ Grievance re: IJ Morley  
**Date:** Friday, August 10, 2018 10:54:00 AM

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Judges Tabaddor and Khan,

As you know, we are in the midst of ACIJ hiring interviews and my availability for the hearing is rather limited. I would like to see if we can schedule the discussion for either Tuesday, August 21 or Wednesday, August 22.

On the 21<sup>st</sup>, I am available during normal business hours other than from 3:30pm-4:30pm EDT.

On the 22<sup>nd</sup>, I am available during normal business hours other than from 1:30pm-4:00pm EDT.

Please let me know what works for you. Thank you,

**Christopher A. Santoro**

Deputy Chief Immigration Judge

**From:** Tabaddor, A. Ashley (EOIR)  
**Sent:** Wednesday, August 08, 2018 9:51 AM  
**To:** Santoro, Christopher A (EOIR) <Christopher.Santoro@EOIR.USDOJ.GOV>  
**Cc:** Khan, Amiena (EOIR) <Amiena.Khan@EOIR.USDOJ.GOV>; Tabaddor, A. Ashley (EOIR) <Ashley.Tabaddor@EOIR.USDOJ.GOV>  
**Subject:** NAIJ Grievance re: IJ Morley

Dear Judge Santoro,  
Attached please find a grievance related to the Agency action against Judge Morley.  
Thank you,  
Ashley Tabaddor  
President, NAIJ

**From:** Khan, Amiena (EOIR)  
**To:** Santoro, Christopher A (EOIR)  
**Cc:** Tabaddor, A. Ashley (EOIR); Khan, Amiena (EOIR)  
**Subject:** Re: NAIJ Grievance re: IJ Morley  
**Date:** Monday, August 13, 2018 2:20:24 PM

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Dear DCIJ Santoro,

Thank you for your email. I am writing on behalf of Judge Tabaddor and NAIJ in response to your email regarding the extension of the 20 day period in which to have a meeting on the grievance.

NAIJ is in agreement with the Agency to permit an extension of the 20 day time period to hold the meeting. I am in the process of selecting an agreed upon date with our NAIJ grievance participants and will get back to you with a date in the morning.

Regards,  
Amiena Khan  
Executive Vice President NAIJ  
Sent from my iPhone

On Aug 12, 2018, at 8:13 AM, Santoro, Christopher A (EOIR)  
<[Christopher.Santoro@EOIR.USDOJ.GOV](mailto:Christopher.Santoro@EOIR.USDOJ.GOV)> wrote:

Judge Tabaddor (and Khan),

I'm not yet sure whether the 29<sup>th</sup> will work – we have both new ACIJ training and an ACIJ meeting that week and my schedule is still in flux. I will do my best to set aside some time on that date once we finalize the schedule. If NAIJ is willing to waive the 20-day requirement, EOIR will as well, and we can decide upon a mutually-agreeable date upon your return.

**Christopher A. Santoro**  
Deputy Chief Immigration Judge

**From:** Tabaddor, A. Ashley (EOIR)  
**Sent:** Friday, August 10, 2018 3:44 PM  
**To:** Santoro, Christopher A (EOIR) <[Christopher.Santoro@EOIR.USDOJ.GOV](mailto:Christopher.Santoro@EOIR.USDOJ.GOV)>  
**Cc:** Khan, Amiena (EOIR) <[Amiena.Khan@EOIR.USDOJ.GOV](mailto:Amiena.Khan@EOIR.USDOJ.GOV)>; Tabaddor, A. Ashley (EOIR) <[Ashley.Tabaddor@EOIR.USDOJ.GOV](mailto:Ashley.Tabaddor@EOIR.USDOJ.GOV)>  
**Subject:** RE: NAIJ Grievance re: IJ Morley

Dear Judge Santoro,  
Thank you for your email and the proposed dates. As you know, I will be out of the country next week and Judge Tsankov (our East Coast Grievance Chair) will be out of



the country from August 19<sup>th</sup> for a period of four weeks. In her absence I will serve as the point person on this grievance. However, upon my return in the afternoon of August 20<sup>th</sup>, there are a number of pending NAIJ/OCIJ matters that also need immediate attention. Additionally August 22<sup>nd</sup> is a religious holiday for Judge Khan. While I understand that the CBA requires a meeting within 20 days, it also provides for an extension of that time by stipulation of the parties. May I suggest that we schedule the discussion for Wednesday, August 29<sup>th</sup>, anytime after 11:30 a.m. ET (since I am on the West Coast)? I would note that August 29<sup>th</sup> would fall within my NAIJ carve out on my calendar and would not require any resetting of cases.

Thank you,  
Ashley Tabaddor

**From:** Santoro, Christopher A (EOIR)  
**Sent:** Friday, August 10, 2018 7:54 AM  
**To:** Tabaddor, A. Ashley (EOIR) <[Ashley.Tabaddor@EOIR.USDOJ.GOV](mailto:Ashley.Tabaddor@EOIR.USDOJ.GOV)>  
**Cc:** Khan, Amiena (EOIR) <[Amiena.Khan@EOIR.USDOJ.GOV](mailto:Amiena.Khan@EOIR.USDOJ.GOV)>  
**Subject:** RE: NAIJ Grievance re: IJ Morley

Judges Tabaddor and Khan,

As you know, we are in the midst of ACIJ hiring interviews and my availability for the hearing is rather limited. I would like to see if we can schedule the discussion for either Tuesday, August 21 or Wednesday, August 22.

On the 21<sup>st</sup>, I am available during normal business hours other than from 3:30pm-4:30pm EDT.

On the 22<sup>nd</sup>, I am available during normal business hours other than from 1:30pm-4:00pm EDT.

Please let me know what works for you. Thank you,

**Christopher A. Santoro**  
Deputy Chief Immigration Judge

**From:** Tabaddor, A. Ashley (EOIR)  
**Sent:** Wednesday, August 08, 2018 9:51 AM  
**To:** Santoro, Christopher A (EOIR) <[Christopher.Santoro@EOIR.USDOJ.GOV](mailto:Christopher.Santoro@EOIR.USDOJ.GOV)>  
**Cc:** Khan, Amiena (EOIR) <[Amiena.Khan@EOIR.USDOJ.GOV](mailto:Amiena.Khan@EOIR.USDOJ.GOV)>; Tabaddor, A. Ashley (EOIR) <[Ashley.Tabaddor@EOIR.USDOJ.GOV](mailto:Ashley.Tabaddor@EOIR.USDOJ.GOV)>  
**Subject:** NAIJ Grievance re: IJ Morley

Dear Judge Santoro,

Attached please find a grievance related to the Agency action against Judge Morley.

Thank you,  
Ashley Tabaddor  
President, NAIJ

**From:** Keller, Mary Beth (EOIR)  
**To:** McHenry, James (EOIR)  
**Cc:** Santoro, Christopher A (EOIR); Sheehey, Kate (EOIR); Reilly, Katherine (EOIR); Murry, Anthony (EOIR)  
**Subject:** Reassigned  
**Date:** Friday, June 01, 2018 1:03:01 PM

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James,

The case has been reassigned to ACIJ Nadkarni, who is ACIJ Weil's backup, due to Judge Weil's training commitments and ECAS implementation in his courts the week of the reset hearing.

We will discuss with the judge next week.

Mtk

*MaryBeth Keller*  
Chief Immigration Judge  
U. S. Department of Justice  
Executive Office for Immigration Review  
Mary.Beth.Keller@usdoj.gov  
(b) (6)

**From:** [Weil, Jack \(EOIR\)](#)  
**To:** [Alicia, Alterra \(EOIR\)](#); [Morley, Steven A. \(EOIR\)](#)  
**Subject:** FW: Castro Tum  
**Date:** Friday, May 18, 2018 10:30:00 AM  
**Importance:** High

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FYI

**From:** Cheng, Mary (EOIR)  
**Sent:** Friday, May 18, 2018 10:29 AM  
**To:** Weil, Jack (EOIR) <[Jack.Weil@EOIR.USDOJ.GOV](mailto:Jack.Weil@EOIR.USDOJ.GOV)>; Maggard, Print (EOIR) <[Print.Maggard@EOIR.USDOJ.GOV](mailto:Print.Maggard@EOIR.USDOJ.GOV)>  
**Subject:** Fwd: Castro Tum

Jack,

Please make sure we get this docketed as per the Director's instructions. Thank you.

Mary Cheng  
Deputy Chief Immigration Judge

Begin forwarded message:

**From:** "Keller, Mary Beth (EOIR)" <[MaryBeth.Keller@EOIR.USDOJ.GOV](mailto:MaryBeth.Keller@EOIR.USDOJ.GOV)>  
**Date:** May 18, 2018 at 10:12:14 AM EDT  
**To:** "Ortiz-Ang, Susana (EOIR)" <[Susana.Ortiz-Ang@EOIR.USDOJ.GOV](mailto:Susana.Ortiz-Ang@EOIR.USDOJ.GOV)>, "Murry, Anthony (EOIR)" <[Anthony.Murry@EOIR.USDOJ.GOV](mailto:Anthony.Murry@EOIR.USDOJ.GOV)>, "Weil, Jack (EOIR)" <[Jack.Weil@EOIR.USDOJ.GOV](mailto:Jack.Weil@EOIR.USDOJ.GOV)>, "Maggard, Print (EOIR)" <[Print.Maggard@EOIR.USDOJ.GOV](mailto:Print.Maggard@EOIR.USDOJ.GOV)>, "Cheng, Mary (EOIR)" <[Mary.Cheng@EOIR.USDOJ.GOV](mailto:Mary.Cheng@EOIR.USDOJ.GOV)>  
**Subject:** Fwd: Castro Tum

All,

Please see the Director's instruction below and let me know when accomplished. The judge in the case was Morley in Philadelphia I believe, per an email from Dan yesterday, but please check me.

Thank you.

Mtk

Sent from my iPad

Begin forwarded message:

**From:** "McHenry, James (EOIR)" <[James.McHenry@EOIR.USDOJ.GOV](mailto:James.McHenry@EOIR.USDOJ.GOV)>  
**Date:** May 18, 2018 at 9:53:38 AM EDT  
**To:** "Keller, Mary Beth (EOIR)"

<[MaryBeth.Keller@EOIR.USDOJ.GOV](mailto:MaryBeth.Keller@EOIR.USDOJ.GOV)>

Cc: "Reilly, Katherine (EOIR)"

<[Katherine.Reilly@EOIR.USDOJ.GOV](mailto:Katherine.Reilly@EOIR.USDOJ.GOV)>, "Sheehey, Kate (EOIR)"

<[Kate.Sheehey@EOIR.USDOJ.GOV](mailto:Kate.Sheehey@EOIR.USDOJ.GOV)>, "Murry, Anthony (EOIR)"

<[Anthony.Murry@EOIR.USDOJ.GOV](mailto:Anthony.Murry@EOIR.USDOJ.GOV)>

**Subject: Castro Tum**

MaryBeth,

Please confirm by COB today that Castro-Tum's next hearing has been scheduled for no later than May 31 and that the hearing notice has been sent.

Thanks.

James

**From:** Weil, Jack (EOIR)  
**To:** Murry, Anthony (EOIR)  
**Subject:** FW: Castro-Tum  
**Date:** Wednesday, June 06, 2018 12:40:00 PM

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As discussed

**From:** Alicea, Alterra (EOIR)  
**Sent:** Tuesday, June 05, 2018 5:59 PM  
**To:** Nadkarni, Deepali (EOIR) <Deepali.Nadkarni@EOIR.USDOJ.GOV>; Castro, Deborah (EOIR) <Deborah.Castro@EOIR.USDOJ.GOV>  
**Cc:** Weil, Jack (EOIR) <Jack.Weil@EOIR.USDOJ.GOV>  
**Subject:** RE: Castro-Tum

Judge Nadkarni,

The ROP will be shipped tomorrow, FEDEX# 7724 0402 0073. I scanned it to WAS, I could not print the Barcode to you. I will place a cover sheet advising that the ROP is not a COV and should be forwarded to your attention ASAP.

Alterra

*Alterra Alicea  
Court Administrator  
Immigration Court  
Robert N.C. Nix Federal Building & Courthouse  
900 Market Street, Suite 504  
Philadelphia, PA 19107*

(b) (6)

**From:** Alicea, Alterra (EOIR)  
**Sent:** Tuesday, June 05, 2018 7:13 AM  
**To:** Nadkarni, Deepali (EOIR) <Deepali.Nadkarni@EOIR.USDOJ.GOV>  
**Cc:** Weil, Jack (EOIR) <Jack.Weil@EOIR.USDOJ.GOV>  
**Subject:** RE: Castro-Tum

Will do!! I'll send the tracking # to both you and Deborah.

Alterra

*Alterra Alicea  
Court Administrator  
Immigration Court*

*Robert N.C. Nix Federal Building & Courthouse  
900 Market Street, Suite 504  
Philadelphia, PA 19107*

(b) (6)

**From:** Nadkarni, Deepali (EOIR)  
**Sent:** Monday, June 04, 2018 6:22 PM  
**To:** Alicea, Alterra (EOIR) <[Alterra.Alicea@EOIR.USDOJ.GOV](mailto:Alterra.Alicea@EOIR.USDOJ.GOV)>  
**Cc:** Weil, Jack (EOIR) <[Jack.Weil@EOIR.USDOJ.GOV](mailto:Jack.Weil@EOIR.USDOJ.GOV)>  
**Subject:** Re: Castro-Tum

Yes, please ship it to me at WAS. Thanks!

Dee Nadkarni  
Assistant Chief Immigration Judge  
703.305.1247

On Jun 4, 2018, at 4:11 PM, Alicea, Alterra (EOIR) <[Alterra.Alicea@EOIR.USDOJ.GOV](mailto:Alterra.Alicea@EOIR.USDOJ.GOV)> wrote:

Judge Nadkarni,

My apologies for the late email, we've had connectivity issues all throughout the day. Following up on our conversation, the case is scheduled from July 26<sup>th</sup> at 1pm. It looks as though it has already been transferred to you in CASE. Please let me know if you would like the ROP shipped to you.

Alterra

*Alterra Alicea  
Court Administrator  
Immigration Court  
Robert N.C. Nix Federal Building & Courthouse  
900 Market Street, Suite 504  
Philadelphia, PA 19107*

(b) (6)

**From:** Weil, Jack (EOIR)  
**To:** Cheng, Mary (EOIR); Maggard, Print (EOIR); Keller, Mary Beth (EOIR); Santoro, Christopher A (EOIR)  
**Subject:** FW: Statement of Former IJs and BIA Members  
**Date:** Wednesday, August 01, 2018 11:36:00 AM

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FYI - Private attorney press conference held on EOIR handling of Castro-Tum with multiple former IJs signing on...

**From:** Golparvar, Kuyomars Q. (EOIR)  
**Sent:** Monday, July 30, 2018 11:12 PM  
**To:** Weil, Jack (EOIR) <Jack.Weil@EOIR.USDOJ.GOV>  
**Subject:** FW: Statement of Former IJs and BIA Members

FYI – from the law Professors listserv.

**From:** Dan Kowalski [<mailto:dkowalski@david-ware.com>]  
**Sent:** Monday, July 30, 2018 10:47 AM  
**To:** 'immprof@lists.ucla.edu' <[immprof@lists.ucla.edu](mailto:immprof@lists.ucla.edu)>  
**Subject:** [immprof] FW: Statement of Former IJs and BIA Members

**From:** [REDACTED]  
**Sent:** Monday, July 30, 2018 7:21 AM  
**To:** Dan Kowalski; (b) (6); [tal.kopan@cnn.com](mailto:tal.kopan@cnn.com)  
**Subject:** Statement of Former IJs and BIA Members

This relates to last Thursday's removal hearing in the remand of *Matter of Castro-Tum*. It is possible that more IJs will sign on.

Attorney Matthew Archambeault is holding a press conference today to address the case.

On Thursday, July 26, EOIR, in a costly and inefficient use of the agency's resources, sent an Assistant Chief Immigration Judge to the Philadelphia Immigration Court to conduct a single preliminary hearing. Although there was no indication of any legitimate basis for doing so, the case had been taken off of the calendar of an experienced Immigration Judge in Philadelphia, apparently for the sole reason that the judge had exercised independent judgment by asking for briefs on the issue of whether the respondent had in fact received notice of the hearing. The Assistant Chief Judge (a part of EOIR's management) ordered the respondent removed in absentia without further inquiry into such question, fulfilling the purpose for which she was sent to Philadelphia.

An independent judiciary is imperative to democracy. Immigration Judges have always struggled to maintain independence while remaining in the employ of an enforcement agency, the Department of Justice, and serving at the pleasure of a political appointee, the Attorney General. Although not entitled to the same due process safeguards as criminal proceedings, the consequences of deportation can be as harsh as any criminal penalty. As their decisions often have life-or-death consequences, Immigration Judges must be afforded the independence to conduct fair, impartial hearings. For this reason, some important due process safeguards are



required in deportation proceedings, and errors should be corrected through the appeals process, not through interference by managers.

Last Thursday's case had been remanded by Attorney General Jeff Sessions. In the absence of another explanation, it would seem that EOIR's management did not believe Sessions' purpose in remanding the case was for an Immigration Judge to then exercise independent judgment to ensure due process. The agency therefore removed the case from the docket of a capable judge in order to ensure an outcome that would please its higher-ups. While as former Immigration Judges and BIA Members with many decades of combined experience, we appreciate the pressures on EOIR's leadership, such interference with judicial independence is unacceptable. EOIR's management exists to fulfill an administrative function, not to impede on the decision-making process of its judges. EOIR more than ever needs leadership with the courage to protect its judges from political pressures and to defend their independence. As a democracy, we expect our judges to reach results based on what is just, even where such results are not aligned with the desired outcomes of politicians.

Hon. Steven Abrams  
Hon. Sarah M. Burr  
Hon. Jeffrey S. Chase  
Hon. Cecelia M. Espenosa  
Hon. John F. Gossart, Jr.  
Hon. William P. Joyce  
Hon. Carol King  
Hon. Margaret McManus  
Hon. Charles Pazar  
Hon. Susan Roy  
Hon. Paul W. Schmidt  
Hon. Polly A. Webber

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You received this message because you are subscribed to the Google Groups "ImmProf" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [immprof+unsubscribe@lists.ucla.edu](mailto:immprof+unsubscribe@lists.ucla.edu).

**From:** LERS, FOIR (FOIR)  
**To:** All of Judges (FOIR)  
**Subject:** Matter of Castro-Tum Reminder  
**Date:** Friday, May 25, 2018 10:21:16 AM

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Good morning judges,

Questions have been raised about the scope of the Attorney General's recent decision in *Matter of Castro-Tum*, 27 I&N Dec. 271 (A.G. 2018), as it relates to administrative closure generally and cases in which the respondent is or will be seeking a provisional unlawful presence waiver via Form I-601A.

With respect to when administrative closure is permissible, we refer you to the Attorney General's holding that "there is no general authority" for immigration judges to administratively close cases. Judges may do so only when "Department of Justice regulations . . . permit administrative closure in specific categories of cases." *Castro-Tum*, 27 I&N Dec. at 274. A summary of those categories of cases appears in Section I(B) of *Castro-Tum*, 27 I&N Dec. at 276-78.

With respect to applications for I-601A waivers, judges should consult footnote 9 of *Castro-Tum*, 27 I&N Dec. at 287, which directly addresses this point and holds that the DHS regulation regarding the processing of that application "cannot be an independent source of authority for administrative closure."

If you have additional questions, please contact your Assistant Chief Immigration Judge.

Thank you.

**From:** Brackett, Krystal (EOIR) (CTR)  
**To:** All of Court Administrators (EOIR); All of Judges (EOIR); All of OCIJ HDO (EOIR); All of OCIJ JLC (EOIR); BIA ATTORNEYS (EOIR); BIA BOARD MEMBERS (EOIR); EOIR Library (EOIR); BIA SUPPORT (EOIR); BIA TEAM P (EOIR); Butler, Vicki A. (EOIR); Carr, Donna (EOIR); King, Jean (EOIR); OGC; McHenry, James (EOIR); Reilly, Katherine (EOIR); Santoro, Christopher A (EOIR); Alder Reid, Lauren (EOIR); Berkeley, Nathan (EOIR); Cowles, Jon (EOIR); Bauder, Melissa (EOIR); Korniluk, Artur (EOIR); Adams, Amanda (EOIR); Pease, Jeffrey (EOIR)  
**Cc:** Atkinson, Pamela (EOIR); Ferris, Brittany (EOIR)  
**Subject:** Matter of CASTRO-TUM, 27 I&N Dec. 271 (A.G. 2018)  
**Date:** Thursday, May 17, 2018 4:39:53 PM

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The above precedent decision can be found in Volume 27 at page 271. The link to the decision is:

<https://www.justice.gov/eoir/page/file/1064086/download>

**KRYSTAL BRACKETT**

(b) (6)

DOJ/EOIR/BIA

**From:** Weil, Jack (EOIR)  
**To:** Cheng, Mary (EOIR); Keller, Mary Beth (EOIR)  
**Cc:** Ortiz-Ang, Susana (EOIR); Murry, Anthony (EOIR); Maggard, Print (EOIR); Weil, Jack (EOIR); Pasierb, Mark (EOIR)  
**Subject:** RE: Castro Tum  
**Date:** Friday, May 18, 2018 12:17:00 PM  
**Importance:** High

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I just spoke to Judge Morley. He has selected a date for hearing in the case and asked a legal assistant to prepare a notice. Once done, he will scan and email a copy of the notice to me. I will share it with you.

A few issues. We do not have access to the case in CASE since the case is not with the court in the system. The case went to the BIA and from there to the AG. The computer will therefore not let us schedule the hearing. The case has to make it's way back to the IJ level in CASE. We, however, manage the docket; not the computer. Accordingly, the case **IS** currently scheduled for a hearing on the docket by the court for a date and time specific and I have asked the staff to hand write a notice of hearing and mail it since we are unable to create a system generated notice. We will make CASE mirror the reality in the court as soon as we gain access to it. The computer and 800 number will not show the scheduling until we regain access to CASE but the case has been manually docketed for a date specific within the guidelines below. I have asked the legal assistant to keep a handwritten copy of the notice of hearing and enter it into CASE as soon as we regain access in the system. She has also opened an OIT ticket.

Thanks,  
Jack

**From:** Cheng, Mary (EOIR)  
**Sent:** Friday, May 18, 2018 10:30 AM  
**To:** Keller, Mary Beth (EOIR) <MaryBeth.Keller@EOIR.USDOJ.GOV>  
**Cc:** Ortiz-Ang, Susana (EOIR) <Susana.Ortiz-Ang@EOIR.USDOJ.GOV>; Murry, Anthony (EOIR) <Anthony.Murry@EOIR.USDOJ.GOV>; Weil, Jack (EOIR) <Jack.Weil@EOIR.USDOJ.GOV>; Maggard, Print (EOIR) <Print.Maggard@EOIR.USDOJ.GOV>  
**Subject:** Re: Castro Tum

Judge Keller,

We will be sure to get this done as instructed below.

Mary Cheng  
Deputy Chief Immigration Judge

On May 18, 2018, at 10:12 AM, Keller, Mary Beth (EOIR)  
<MaryBeth.Keller@EOIR.USDOJ.GOV> wrote:

All,

Please see the Director's instruction below and let me know when accomplished. The judge in the case was Morley in Philadelphia I believe, per an email from Dan yesterday, but please check me.

Thank you.

Mtk

Sent from my iPad

Begin forwarded message:

**From:** "McHenry, James (EOIR)"  
<[James.McHenry@EOIR.USDOJ.GOV](mailto:James.McHenry@EOIR.USDOJ.GOV)>  
**Date:** May 18, 2018 at 9:53:38 AM EDT  
**To:** "Keller, Mary Beth (EOIR)"  
<[MaryBeth.Keller@EOIR.USDOJ.GOV](mailto:MaryBeth.Keller@EOIR.USDOJ.GOV)>  
**Cc:** "Reilly, Katherine (EOIR)"  
<[Katherine.Reilly@EOIR.USDOJ.GOV](mailto:Katherine.Reilly@EOIR.USDOJ.GOV)>, "Sheehey, Kate (EOIR)"  
<[Kate.Sheehey@EOIR.USDOJ.GOV](mailto:Kate.Sheehey@EOIR.USDOJ.GOV)>, "Murry, Anthony (EOIR)"  
<[Anthony.Murry@EOIR.USDOJ.GOV](mailto:Anthony.Murry@EOIR.USDOJ.GOV)>  
**Subject:** Castro Tum

MaryBeth,

Please confirm by COB today that Castro-Tum's next hearing has been scheduled for no later than May 31 and that the hearing notice has been sent.

Thanks.

James

**From:** Alicea, Alterra (EOIR)  
**To:** Weil, Jack (EOIR)  
**Subject:** RE: Castro Tum  
**Date:** Monday, May 21, 2018 2:16:08 PM

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Hi Judge,

There are still some technical issues with this case, however, I did manage to get it scheduled in the system. We had to put it on for 2:30pm in the system because Judge Morley already had PHI cases scheduled for 1:00pm and this is a PIT case.

Alterra

*Alterra Alicea  
Court Administrator  
Immigration Court  
Robert N.C. Nix Federal Building & Courthouse  
900 Market Street, Suite 504  
Philadelphia, PA 19107*

(b) (6)

**From:** Weil, Jack (EOIR)  
**Sent:** Monday, May 21, 2018 9:29 AM  
**To:** Alicea, Alterra (EOIR) <Alterra.Alicea@EOIR.USDOJ.GOV>  
**Subject:** RE: Castro Tum

Thanks

**From:** Alicea, Alterra (EOIR)  
**Sent:** Monday, May 21, 2018 9:18 AM  
**To:** Weil, Jack (EOIR) <[Jack.Weil@EOIR.USDOJ.GOV](mailto:Jack.Weil@EOIR.USDOJ.GOV)>  
**Subject:** RE: Castro Tum

Yes, I will!

*Alterra Alicea  
Court Administrator  
Immigration Court  
Robert N.C. Nix Federal Building & Courthouse  
900 Market Street, Suite 504  
Philadelphia, PA 19107*

(b) (6)

**From:** Weil, Jack (EOIR)  
**Sent:** Monday, May 21, 2018 9:07 AM  
**To:** Alicea, Alterra (EOIR) <[Alterra.Alicea@EOIR.USDOJ.GOV](mailto:Alterra.Alicea@EOIR.USDOJ.GOV)>  
**Subject:** RE: Castro Tum

We just need to enter the scheduled hearing date in CASE once we have access to the case in CASE.  
Can you track that?

**From:** Alicea, Alterra (EOIR)  
**Sent:** Monday, May 21, 2018 7:49 AM  
**To:** Weil, Jack (EOIR) <[Jack.Weil@EOIR.USDOJ.GOV](mailto:Jack.Weil@EOIR.USDOJ.GOV)>  
**Subject:** RE: Castro Tum

Good Morning Judge Weil,

I heard that we were able to get a notice out, should I make contact with the BIA for the ROP, or has that already been done?

*Alterra Alicea  
Court Administrator  
Immigration Court  
Robert N.C. Nix Federal Building & Courthouse  
900 Market Street, Suite 504  
Philadelphia, PA 19107*

(b) (6)

**From:** Weil, Jack (EOIR)  
**Sent:** Friday, May 18, 2018 10:30 AM  
**To:** Alicea, Alterra (EOIR) <[Alterra.Alicea@EOIR.USDOJ.GOV](mailto:Alterra.Alicea@EOIR.USDOJ.GOV)>; Morley, Steven A. (EOIR) <[Steven.Morley@EOIR.USDOJ.GOV](mailto:Steven.Morley@EOIR.USDOJ.GOV)>  
**Subject:** FW: Castro Tum  
**Importance:** High

FYI

**From:** Cheng, Mary (EOIR)  
**Sent:** Friday, May 18, 2018 10:29 AM  
**To:** Weil, Jack (EOIR) <[Jack.Weil@EOIR.USDOJ.GOV](mailto:Jack.Weil@EOIR.USDOJ.GOV)>; Maggard, Print (EOIR) <[Print.Maggard@EOIR.USDOJ.GOV](mailto:Print.Maggard@EOIR.USDOJ.GOV)>  
**Subject:** Fwd: Castro Tum

Jack,

Please make sure we get this docketed as per the Director's instructions. Thank you.

Mary Cheng  
Deputy Chief Immigration Judge

Begin forwarded message:

**From:** "Keller, Mary Beth (EOIR)" <[MaryBeth.Keller@EOIR.USDOJ.GOV](mailto:MaryBeth.Keller@EOIR.USDOJ.GOV)>  
**Date:** May 18, 2018 at 10:12:14 AM EDT  
**To:** "Ortiz-Ang, Susana (EOIR)" <[Susana.Ortiz-Ang@EOIR.USDOJ.GOV](mailto:Susana.Ortiz-Ang@EOIR.USDOJ.GOV)>, "Murry, Anthony (EOIR)" <[Anthony.Murry@EOIR.USDOJ.GOV](mailto:Anthony.Murry@EOIR.USDOJ.GOV)>, "Weil, Jack (EOIR)" <[Jack.Weil@EOIR.USDOJ.GOV](mailto:Jack.Weil@EOIR.USDOJ.GOV)>, "Maggard, Print (EOIR)" <[Print.Maggard@EOIR.USDOJ.GOV](mailto:Print.Maggard@EOIR.USDOJ.GOV)>, "Cheng, Mary (EOIR)" <[Mary.Cheng@EOIR.USDOJ.GOV](mailto:Mary.Cheng@EOIR.USDOJ.GOV)>  
**Subject:** Fwd: Castro Tum

All,

Please see the Director's instruction below and let me know when accomplished. The judge in the case was Morley in Philadelphia I believe, per an email from Dan yesterday, but please check me.

Thank you.

Mtk

Sent from my iPad

Begin forwarded message:

**From:** "McHenry, James (EOIR)" <[James.McHenry@EOIR.USDOJ.GOV](mailto:James.McHenry@EOIR.USDOJ.GOV)>  
**Date:** May 18, 2018 at 9:53:38 AM EDT  
**To:** "Keller, Mary Beth (EOIR)" <[MaryBeth.Keller@EOIR.USDOJ.GOV](mailto:MaryBeth.Keller@EOIR.USDOJ.GOV)>  
**Cc:** "Reilly, Katherine (EOIR)" <[Katherine.Reilly@EOIR.USDOJ.GOV](mailto:Katherine.Reilly@EOIR.USDOJ.GOV)>, "Sheehey, Kate (EOIR)" <[Kate.Sheehey@EOIR.USDOJ.GOV](mailto:Kate.Sheehey@EOIR.USDOJ.GOV)>, "Murry, Anthony (EOIR)" <[Anthony.Murry@EOIR.USDOJ.GOV](mailto:Anthony.Murry@EOIR.USDOJ.GOV)>  
**Subject:** Castro Tum

MaryBeth,

Please confirm by COB today that Castro-Tum's next hearing has been scheduled for no later than May 31 and that the hearing notice has been sent.  
Thanks.

James



**From:** Weil, Jack (EOIR)  
**To:** Dutchak, Keziah L. (EOIR)  
**Subject:** Re: Castro-Tum May 31, 2018 Notes  
**Date:** Thursday, May 31, 2018 5:11:06 PM

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Thank you.

On May 31, 2018, at 4:53 PM, Dutchak, Keziah L. (EOIR)  
<[Keziah.Dutchak@EOIR.USDOJ.GOV](mailto:Keziah.Dutchak@EOIR.USDOJ.GOV)> wrote:

Hello Judge Weil,

Here is a brief summary of the hearing.

Counsel offered himself as “a friend of the Court” as he cannot officially represent Respondent as he and others have been unable to locate him. The address on the hearing notice is from a mobile home park at which counsel indicated many residents have been listed over the years. R is not listed as one of those residents. Several attorneys have been trying to locate R to advise him of his immigration proceedings. If found, counsel will offer himself as pro bono legal counsel.

Morley decides not to issue an in absentia order and believes good cause for a continuance is shown for two reasons. First, he questions that notice has been sufficient. Judge Morley recognizes the AG’s decision and that he was directed to schedule a hearing within 14 days. The notice went out at best on May 18, 2018 and this would include the Labor day holiday etc. That is not a lot of time and Respondent could not have access to mail for any number of reasons but the real concern is the sufficiency of the address. Morley reasons that the address is taken from the ORR sheet, which although it is a government document and therefore presumed to be inherently reliable, he says it is not the same as say an I-213 which incorporates signatures and other sources of information. Rather the ORR sheet is simply a computerized document. He says ORR gives the address to DHS who writes it on the NTA and EOIR takes it from the NTA or the ORR sheet. He says, “how do I know this address was not just some lazy ORR officer who just got it from the I-213 instead of the sponsor of the child and had someone sign off on it. ((b) (5)

[REDACTED]

[REDACTED]

[REDACTED] ) He also makes the point of saying that he has concerns with the Board’s analysis citing a 1926 SCOTUS case (he couldn’t remember the name) regarding a presidential appointee rather than a lower level functionary. The Board cites this to presume reliability of the address on government documents. Morley cites a 3<sup>rd</sup> cir case Asiago 2003 which he hints may not quite square with the Board’s reasoning with it but he does not go into detail at all. So, he is very disappointed with the analysis the Board set forth. In a nutshell, he basically takes issue with the fact that when the address may not be sufficient, “notice” may also not be sufficient as well as the very

short length of time since the hearing notice was sent.

Potential Counsel for R offers to brief the issue regarding the issue of the adequacy of the ORR, it's presumption of reliability, and thus its sufficiency of notice. Morley says he is "intrigued" by this and finds it as a second reason to refuse an in absentia order and find good cause to continue. DHS of course opposes this, although it was at times hard to hear the attorney's reasoning because Morley talked over him frequently. Basically, he argued that there is a presumption of reliability and 14 days is sufficient notice.

Morley resets case for July 26, 2018.

**From:** [Weil, Jack \(EOIR\)](#)  
**To:** [Alicea, Alterra \(EOIR\)](#)  
**Cc:** [Weil, Jack \(EOIR\)](#)  
**Subject:** RE: Reassignment - Castro Tum Issue - Admin Closed but Not Appealed  
**Date:** Wednesday, July 25, 2018 1:36:54 PM

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Please pull them.

Assignment to one or two judges is fine.

**From:** Alicea, Alterra (EOIR)  
**Sent:** Wednesday, July 25, 2018 11:38 AM  
**To:** Weil, Jack (EOIR) <[Jack.Weil@EOIR.USDOJ.GOV](mailto:Jack.Weil@EOIR.USDOJ.GOV)>  
**Subject:** RE: Reassignment - Castro Tum Issue - Admin Closed but Not Appealed

Judge Weil,

Just an FYI- Judge Morley has a number of the Motions to Recalendar in his office, I will be pulling them today for reassignment. I am sure that he may have questions, so I just wanted to give you a heads up.

Also, would it be possible to assign them to just one or two Judges? I just think for the purpose of tracking, it will make it easier. I'm thinking IJ's Carle and Verma.

Alterra

**From:** Weil, Jack (EOIR)  
**Sent:** Wednesday, July 25, 2018 12:07 AM  
**To:** Alicea, Alterra (EOIR) <[Alterra.Alicea@EOIR.USDOJ.GOV](mailto:Alterra.Alicea@EOIR.USDOJ.GOV)>  
**Subject:** Fwd: Reassignment - Castro Tum Issue - Admin Closed but Not Appealed

FYI.

Begin forwarded message:

**From:** "Cheng, Mary (EOIR)" <[Mary.Cheng@EOIR.USDOJ.GOV](mailto:Mary.Cheng@EOIR.USDOJ.GOV)>  
**Date:** July 24, 2018 at 5:21:28 PM EDT  
**To:** "Weil, Jack (EOIR)" <[Jack.Weil@EOIR.USDOJ.GOV](mailto:Jack.Weil@EOIR.USDOJ.GOV)>  
**Cc:** "Wahowiak, Marlene (EOIR)" <[Marlene.Wahowiak@EOIR.USDOJ.GOV](mailto:Marlene.Wahowiak@EOIR.USDOJ.GOV)>, "Cheng, Mary (EOIR)" <[Mary.Cheng@EOIR.USDOJ.GOV](mailto:Mary.Cheng@EOIR.USDOJ.GOV)>  
**Subject:** RE: Reassignment - Castro Tum Issue - Admin Closed but Not Appealed

Yes. Thank you.

Mary Cheng

Deputy Chief Immigration Judge

**From:** Weil, Jack (EOIR)

**Sent:** Tuesday, July 24, 2018 3:47 PM

**To:** Cheng, Mary (EOIR) <[Mary.Cheng@EOIR.USDOJ.GOV](mailto:Mary.Cheng@EOIR.USDOJ.GOV)>

**Subject:** Reassignment - Castro Tum Issue - Admin Closed but Not Appealed

**Importance:** High

Mary,

In PHI, we are receiving motions to recalendar cases with Castro-Tum issues that were administratively closed by IJ Morley but in which DHS did not file an appeal.

Does OCIJ want those cases also to be reassigned to another judge?

Thanks,

Jack

**From:** Weil, Jack (EOIR)  
**To:** Alicea, Alterra (EOIR)  
**Subject:** RE: Reassignment - Castro-Tum Issue Cases in PHI  
**Date:** Tuesday, July 24, 2018 3:42:00 PM

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I'll check.

**From:** Alicea, Alterra (EOIR)  
**Sent:** Tuesday, July 24, 2018 2:49 PM  
**To:** Weil, Jack (EOIR) <Jack.Weil@EOIR.USDOJ.GOV>  
**Subject:** RE: Reassignment - Castro-Tum Issue Cases in PHI

DHS is also filing a number of Motions to Recalendar on the cases that were not appealed, but closed under similar circumstances, should those be reassigned as well?

**From:** Weil, Jack (EOIR)  
**Sent:** Tuesday, July 24, 2018 2:46 PM  
**To:** Alicea, Alterra (EOIR) <Alterra.Alicea@EOIR.USDOJ.GOV>  
**Subject:** RE: Reassignment - Castro-Tum Issue Cases in PHI

Thanks

**From:** Alicea, Alterra (EOIR)  
**Sent:** Tuesday, July 24, 2018 2:45 PM  
**To:** Weil, Jack (EOIR) <Jack.Weil@EOIR.USDOJ.GOV>  
**Subject:** RE: Reassignment - Castro-Tum Issue Cases in PHI

Got it!

**From:** Weil, Jack (EOIR)  
**Sent:** Tuesday, July 24, 2018 11:26 AM  
**To:** Alicea, Alterra (EOIR) <Alterra.Alicea@EOIR.USDOJ.GOV>  
**Cc:** Weil, Jack (EOIR) <Jack.Weil@EOIR.USDOJ.GOV>  
**Subject:** FW: Reassignment - Castro-Tum Issue Cases in PHI  
**Importance:** High

FYI.

**From:** Cheng, Mary (EOIR)  
**Sent:** Tuesday, July 24, 2018 11:25 AM  
**To:** Weil, Jack (EOIR) <Jack.Weil@EOIR.USDOJ.GOV>  
**Subject:** Re: Reassignment - Castro-Tum Issue Cases in PHI

Please reassign to another IJ. Thank you.

Mary Cheng  
Deputy Chief Immigration Judge

On Jul 24, 2018, at 10:40 AM, Weil, Jack (EOIR) <[Jack.Weil@EOIR.USDOJ.GOV](mailto:Jack.Weil@EOIR.USDOJ.GOV)> wrote:

Mary,

Quick question – did you want the other Castro-Tum issue cases assigned to IJ Morley  
reassigned to ACIJ Nadkarni or another PHI IJ?

Thanks,  
Jack

**From:** Khan, Amiena (EOIR)  
**To:** Santoro, Christopher A (EOIR)  
**Cc:** Tabaddor, A. Ashley (EOIR); Khan, Amiena (EOIR)  
**Subject:** Re: NAIJ Grievance re: IJ Morley  
**Date:** Monday, August 13, 2018 2:20:24 PM

---

Dear DCIJ Santoro,

Thank you for your email. I am writing on behalf of Judge Tabaddor and NAIJ in response to your email regarding the extension of the 20 day period in which to have a meeting on the grievance.

NAIJ is in agreement with the Agency to permit an extension of the 20 day time period to hold the meeting. I am in the process of selecting an agreed upon date with our NAIJ grievance participants and will get back to you with a date in the morning.

Regards,  
Amiena Khan  
Executive Vice President NAIJ  
Sent from my iPhone

On Aug 12, 2018, at 8:13 AM, Santoro, Christopher A (EOIR)  
<[Christopher.Santoro@EOIR.USDOJ.GOV](mailto:Christopher.Santoro@EOIR.USDOJ.GOV)> wrote:

Judge Tabaddor (and Khan),

I'm not yet sure whether the 29<sup>th</sup> will work – we have both new ACIJ training and an ACIJ meeting that week and my schedule is still in flux. I will do my best to set aside some time on that date once we finalize the schedule. If NAIJ is willing to waive the 20-day requirement, EOIR will as well, and we can decide upon a mutually-agreeable date upon your return.

**Christopher A. Santoro**  
Deputy Chief Immigration Judge

**From:** Tabaddor, A. Ashley (EOIR)  
**Sent:** Friday, August 10, 2018 3:44 PM  
**To:** Santoro, Christopher A (EOIR) <[Christopher.Santoro@EOIR.USDOJ.GOV](mailto:Christopher.Santoro@EOIR.USDOJ.GOV)>  
**Cc:** Khan, Amiena (EOIR) <[Amiena.Khan@EOIR.USDOJ.GOV](mailto:Amiena.Khan@EOIR.USDOJ.GOV)>; Tabaddor, A. Ashley (EOIR) <[Ashley.Tabaddor@EOIR.USDOJ.GOV](mailto:Ashley.Tabaddor@EOIR.USDOJ.GOV)>  
**Subject:** RE: NAIJ Grievance re: IJ Morley

Dear Judge Santoro,  
Thank you for your email and the proposed dates. As you know, I will be out of the country next week and Judge Tsankov (our East Coast Grievance Chair) will be out of

the country from August 19<sup>th</sup> for a period of four weeks. In her absence I will serve as the point person on this grievance. However, upon my return in the afternoon of August 20<sup>th</sup>, there are a number of pending NAIJ/OCIJ matters that also need immediate attention. Additionally August 22<sup>nd</sup> is a religious holiday for Judge Khan. While I understand that the CBA requires a meeting within 20 days, it also provides for an extension of that time by stipulation of the parties. May I suggest that we schedule the discussion for Wednesday, August 29<sup>th</sup>, anytime after 11:30 a.m. ET (since I am on the West Coast)? I would note that August 29<sup>th</sup> would fall within my NAIJ carve out on my calendar and would not require any resetting of cases.

Thank you,  
Ashley Tabaddor

**From:** Santoro, Christopher A (EOIR)  
**Sent:** Friday, August 10, 2018 7:54 AM  
**To:** Tabaddor, A. Ashley (EOIR) <[Ashley.Tabaddor@EOIR.USDOJ.GOV](mailto:Ashley.Tabaddor@EOIR.USDOJ.GOV)>  
**Cc:** Khan, Amiena (EOIR) <[Amiena.Khan@EOIR.USDOJ.GOV](mailto:Amiena.Khan@EOIR.USDOJ.GOV)>  
**Subject:** RE: NAIJ Grievance re: IJ Morley

Judges Tabaddor and Khan,

As you know, we are in the midst of ACIJ hiring interviews and my availability for the hearing is rather limited. I would like to see if we can schedule the discussion for either Tuesday, August 21 or Wednesday, August 22.

On the 21<sup>st</sup>, I am available during normal business hours other than from 3:30pm-4:30pm EDT.

On the 22<sup>nd</sup>, I am available during normal business hours other than from 1:30pm-4:00pm EDT.

Please let me know what works for you. Thank you,

**Christopher A. Santoro**  
Deputy Chief Immigration Judge

**From:** Tabaddor, A. Ashley (EOIR)  
**Sent:** Wednesday, August 08, 2018 9:51 AM  
**To:** Santoro, Christopher A (EOIR) <[Christopher.Santoro@EOIR.USDOJ.GOV](mailto:Christopher.Santoro@EOIR.USDOJ.GOV)>  
**Cc:** Khan, Amiena (EOIR) <[Amiena.Khan@EOIR.USDOJ.GOV](mailto:Amiena.Khan@EOIR.USDOJ.GOV)>; Tabaddor, A. Ashley (EOIR) <[Ashley.Tabaddor@EOIR.USDOJ.GOV](mailto:Ashley.Tabaddor@EOIR.USDOJ.GOV)>  
**Subject:** NAIJ Grievance re: IJ Morley

Dear Judge Santoro,



Attached please find a grievance related to the Agency action against Judge Morley.

Thank you,  
Ashley Tabaddor  
President, NAIJ